

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

JOSE MARIA DeCASTRO,  
a/k/a CHILLE DeCASTRO,  
a/k/a DELETE LAWZ,

*Plaintiff and Defendant-in-Counterclaim,*

v.

JOSHUA ABRAMS a/k/a  
ACCOUNTABILITY FOR ALL,

*Defendant,*

KATE PETER a/k/a MASSHOLE  
TROLL MAFIA,

*Defendant and Plaintiff-in-Counterclaim.*

CASE NO. 1:22-cv-11421-ADB

**OPPOSITION TO PLAINTIFF’S MOTION TO DISMISS**  
**KATE PETER’S COUNTERCLAIM**

Defendant and Plaintiff-in-Counterclaim Kate Peter (“Ms. Peter”) hereby opposes Plaintiff and Defendant-in-Counterclaims Jose Maria DeCastro (“Mr. DeCastro”) motion to dismiss Ms. Peter’s counterclaims in its entirety. Mr. DeCastro has lobbed every idea he can think of for dismissing the counterclaims of which he can conceive but none has any basis in the law. Mr. DeCastro’s motion should be denied. Ms. Peter’s sole claim, for defamation, survives.

Mr. DeCastro moved to dismiss the counterclaims of Defendant and Plaintiff-in-Counterclaim Joshua Abrams (“Mr. Abrams”) for exactly the same reasons as he has moved to dismiss the counterclaims of Ms. Peter. In opposition to the motion to dismiss of Mr. DeCastro, Ms. Peter thus incorporates by reference the arguments of Mr. Abrams, located at ECF No. 93.

Ms. Peter's counterclaims set out factual allegations supporting a claim for defamation. Indeed, Mr. DeCastro's lies about Ms. Peter, broadcast to his nearly 50,000 subscribers on YouTube amount to per se defamation. Mr. DeCastro has falsely proclaimed that Ms. Peter "sold out her daughter for sex," and went so far as to crassly lie that Ms. Peter "pimped out her own kid and the d- and the division of family services took her children away." ECF No. 54. ¶3. He has further misrepresented that Ms. Peter "was arrested this year for siphoning gas out of a car." Id. These false accusations of crimes are patent defamation. Id. Worse, Mr. DeCastro's lies about Ms. Peter's daughter take aim at the most sensitive and important aspect of Ms. Peter's life, her children. Id.

There is no basis for dismissing Ms. Peter's counterclaims. The Court should deny Mr. DeCastro's motion in its entirety.

Respectfully submitted,

KATE PETER,

By her attorney,

/s/ Benjamin J. Wish

Benjamin J. Wish (BBO # 672743)

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Date: December 27, 2022

**CERTIFICATE OF SERVICE**

I hereby certify that this document filed through the CM/ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing.

/s/ Benjamin J. Wish

Benjamin J. Wish

Dated: December 27, 2022